

Message Text

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ACTION SCI-06

INFO OCT-01 EUR-25 ADP-00 SSO-00 NSCE-00 INRE-00 GAC-01

ACDA-19 CIAE-00 DODE-00 PM-09 INR-10 L-03 NSAE-00

NASA-04 NSC-10 RSC-01 SS-15 MC-02 RSR-01 /107 W
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O 241727 Z APR 73

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 9487

UNCLAS PARIS 11257

E. O. 11652: N/A

TAGS: TSPA

SUBJECT: CHANGES TO APR 23 DRAFT OF SL AGREEMENT

FOR SCI POLLACK FROM BASTEDO

PASS NASA FOR FRUTKIN

1. MEETINGS WITH GIBSON AND KALTENECKER.
2. THE FOLLOWING CHANGES TO AGREEMENT OF APRIL 23, PROVISIONALLY ACCEPTED:
3. PREAMBLE - LAST CLAUSE BOTTOM OF PAGE 2. ADD QUOTE AS EXPRESSED IN THE RESOLUTION ADOPTED IN BRUSSELS ON 20 DECEMBER 1972 UNQUOTE.
4. ARTICLE 1: PARA (2) ADD THE WORD QUOTE SYSTEMS UNQUOTE AFTER SL.
5. ARTICLE 3: PARA A LINES 2 AND 5 DELETE THE WORDS QUOTE CARRY OUT UNQUOTE AND INSERT QUOTE IMPLEMENT UNQUOTE. CARRY OUT IS OBJECTIONABLE TO THE EUROPEANS.
6. ARTICLE 5: PARA (1) ADD THE WORD QUOTE ASSISTANCE UNQUOTE AFTER INFORMATION.

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7. ARTICLE 5: PARA (4) SECOND LINE CHANGE QUOTE AN SL DUPLICATING UNQUOTE TO QUOTE ANY SL DUPLICATING UNQUOTE.
 8. ARTICLE 6: PARA B, SECOND SENTENCE CHANGE TO READ QUOTE THE GOVERNMENT OF THE UNITED STATES OF AMERICA RESERVES THE RIGHT TO ARRANGE FOR THE TECHNOLOGY SO DEFINED TO BE MADE AVAILABLE IN THE FORM OF HARDWARE, RATHER THAN KNOW- HOW UNQUOTE. THIS PROPOSED LANGUAGE SOFTENS THE HARSHNESS AND MAKES IT COMPATIBLE WITH THE MOU LANGUAGE.
 9. ARTICLE 6: PARA E, LINE 2, CHANGE QUOTE OR UNQUOTE TO QUOTE NOR UNQUOTE. MOVE THE ENTIRE PARAGRAPH OUT OF ARTICLE 6 AND MAKE IT PARAGRAPH C UNDER ARTICLE 8 RE LETTER PARAGRAPHS F AND G TO E AND F.
 10. ARTICLE 6: NEW PARAGRAPH G, ADD QUOTE THE AFORESAID PROVISIONS SHALL NOT EXCLUDE THE POSSIBILITY OF PURCHASING ELEMENTS OR COMPONENTS, PRODUCED EITHER IN THE UNITED STATES OR IN EUROPE, FOR THE PURPOSE OF THE SHUTTLE OR SL PROGRAM UNQUOTE. THIS LANGUAGE WAS CONTAINED IN THE ESRO DRAFT ARTICLE VI, PARA 4.
 11. ARTICLE 9: PARA A1 INSERT THE WORD QUOTE AND UNQUOTE AFTER BASES.
 12. ARTICLE 6, PARA B. PRESENT LANGUAGE CAN BE READ AS IMPLYING PREFERRED ACCESS ONLY FOR FIRST FLIGHT UNIT. THIS WOULD APPEAR TO RETREAT FROM MARCH 30 U. S. DRAFT, ARTICLE 7, B(3).
RECOMMENDED CHANGE TO READ QUOTE FOR USE OF SL' S DEVELOPED UNDER THIS COOPERATIVE PROGRAM UNQUOTE. ADVISE IMMEDIATELY.
 13. ARTICLE 7: PARA E, PUT A PERIOD AFTER QUOTE ADVANCED NOTICE OF ANY MODIFICATION UNQUOTE. DELETE QUOTE IN ORDER TO PERMIT PROPOSALS FOR SUCH MODIFICATION UNQUOTE.
 14. ARTICLE 10. THE QUESTION OF FREEDOM OF FEDERAL AND STATE TAXES HAS ARISEN AGAIN. ESRO CLAIMS A PRECEDENT WAS SET ON THIS ISSUE IN THE ESRO FAIRBANKS TRACKING STATION AGREEMENT.
 15. ARTICLE 11, B. ESRO HAS REQUESTED INSERTION OF THE WORDS QUOTE WHEN IT ENTERS INTO FORCE UNQUOTE AFTER THE LIABILITY CONVENTION REFERENCE.
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16. ARTICLE 11 C. REQUEST L PROVIDE CLARIFICATION AS TO WHAT TYPE OF DAMAGE HE VISIONS UNDER THIS PARA. REFERENCE ARTICLE XII (3) ESRO DRAFT. WOULD THIS LANGUAGE BE ACCEPTABLE?
NO IMMEDIATE ANSWER NEEDED.
 17. ARTICLE 12. NO AGREEMENT ON. ALTERNATE LANGUAGE WILL BE

FORMULATED BY ESRO.

18. ARTICLES 14 AND 18 - FILL IN THE BLANKS QUOTE REPUBLIC OF FRANCE UNQUOTE.

19. ARTICLE 14. ALTERNATE LANGUAGE NOT ACCEPTABLE TO ESRO FOR
A. THEY WOULD PREFER OUR MARCH 30 VERSION IF THEY CAN' T GET
PRESENT PARA 14 ACCEPTED.

20. REQUEST IMMEDIATE CONFIRMATION OF CHANGES PROVISIONALLY
AGREED TO, ESPECIALLY AS RELATED TO ARTICLE 7 NO LATER THAN 1800
WASHINGTON TIME, APRIL 24.

21. ESRO PLANNING BOARD MEETING AT 1400 PARIS TIME, 25 APRIL.
WE WILL MEET WITH THEM IMMEDIATELY FOLLOWING THEIR DISCUSSIONS
AND PREPARE BRACKETED TEXT AS BASIS FOR MAY 3-4 DISCUSSIONS.
WE WILL RETURN TO WASHINGTON ON 26 APRIL INSTEAD OF 27 APRIL.
IRWIN

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NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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